

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

DR. GERALD R. FINKEL

Petitioner;

v.

IDL COMMUNICATION & ELECTRIC,
INC.

Respondent.

1:22-cv-5889 (NRM) (RML)

ORDER

NINA R. MORRISON, United States District Judge:

On October 3, 2022, Petitioner Gerald R. Finkel filed a Petition to Confirm Arbitration Award against Respondent IDL Communication & Electric, Inc., who did not enter an appearance. ECF No. 1. This Court referred Petitioner's petition, which Petitioner moved the Court to construe as a motion for summary judgment, *see* ECF No. 10, to Magistrate Judge Levy on December 23, 2022. Magistrate Judge Levy filed a Report and Recommendation on June 20, 2023. *See* ECF No. 11.

A district court judge, when reviewing a report and recommendation from a magistrate judge, "may accept, reject, or modify, in whole or in part, the findings and recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1)(C). If a party fails to timely object to a magistrate judge's report and recommendation, then the district court "need only satisfy itself that there is no clear error on the face of the record." *Urena v. New York*, 160 F. Supp. 2d 606, 609–10 (S.D.N.Y. 2001) (citation and quotation marks omitted); *Rubinstein & Assocs., PLLC v.*

Entrepreneur Media, Inc., 554 F. Supp. 3d 506, 510 (E.D.N.Y. 2021).

In this action, no party has filed an objection to Magistrate Judge Levy's Report and Recommendation, which were due on or before July 5, 2023. The Court therefore reviews Magistrate Judge Levy's Report and Recommendation for clear error. Finding none upon careful review, the Court ADOPTS the Report and Recommendation in its entirety. The Clerk of Court is respectfully directed to enter judgment in favor of Petitioner in the amount of \$977,642.14, plus \$1,117 in fees and expenses, as well as post-judgment interest. Petitioner is directed to mail a copy of this Order to Respondent and file proof of service on the docket within five (5) days.

SO ORDERED.

/s/ NRM
NINA R. MORRISON
United States District Judge

Dated: July 17, 2023
Brooklyn, New York